

SENATE, No. 3497

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 9, 2021

Sponsored by:

Senator NIA H. GILL

District 34 (Essex and Passaic)

SYNOPSIS

Establishes “Future Road Technologies Fund”; makes annual appropriation of \$3 million.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing the “Future Road Technologies Fund,” making
2 an annual appropriation, amending P.L.1984, c.73, and
3 supplementing Title 27 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. Section 25 of P.L.1984, c.73 (C.27:1B-25) is amended to
9 read as follows:

10 25. a. Notwithstanding the provisions of subtitle 4 of Title 27 of
11 the Revised Statutes and P.L.1946, c.301 (C.27:15A-1 et seq.), the
12 commissioner may, pursuant to appropriations or authorizations
13 being made from time to time by the Legislature according to law,
14 allocate to counties and municipalities funds for the planning,
15 acquisition, engineering, construction, reconstruction, repair,
16 resurfacing and rehabilitation of public highways and the planning,
17 acquisition, engineering, construction, reconstruction, repair,
18 maintenance and rehabilitation of public transportation projects and
19 of other transportation projects which a county or municipality may
20 be authorized by law to undertake.

21 b. The commissioner shall, pursuant to appropriations or
22 authorizations being made from time to time by the Legislature
23 according to law, allocate at his discretion State aid to counties and
24 municipalities for transportation projects, except that the amount to
25 be appropriated for this program shall be seven percent of the total
26 amount appropriated pursuant to subsection d. of this section. This
27 State aid shall be set aside prior to any formula allocations provided
28 for in subsections c., d., e., f., and g. of this section, and shall be
29 known as the "Local Aid Infrastructure Fund." In the fiscal year
30 commencing July 1, 2016, any amount appropriated to the Local
31 Aid Infrastructure Fund above \$7,500,000 shall be deposited into
32 the State Transportation Infrastructure Bank Fund, established
33 pursuant to section 34 of P.L.2016, c.56 (C.58:11B-10.4).

34 c. The commissioner shall, pursuant to appropriations or
35 authorizations being made from time to time by the Legislature
36 according to law and pursuant to the provisions of subsections b.
37 and d. of this section, allocate State aid to municipalities for public
38 highways under their jurisdiction. The amount to be appropriated
39 shall be allocated on the basis of the following distribution factor:

40
$$DF = \frac{Pc}{Ps} + \frac{Cm}{Sm}$$

43 where, DF equals the distribution factor

44 Pc equals county population

45 Ps equals State population

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Cm equals municipal road mileage within the county

2 Sm equals municipal road mileage within the State.

3 After the amount of aid has been allocated based on the above
4 formula, the commissioner shall determine priority for the funding
5 of municipal projects within each county, based upon criteria
6 relating to volume of traffic, safety considerations, growth
7 potential, readiness to obligate funds, and local taxing capacity. In
8 addition to the above criteria used in determining priority of
9 funding of municipal projects in each county, the commissioner
10 shall consider whether a project is intended to remedy hazardous
11 conditions as identified for the purposes of providing transportation
12 pursuant to N.J.S.18A:39-1.2 for school pupils or to improve
13 pedestrian safety.

14 For the purposes of this subsection, (1) "population" means the
15 official population count as reported by the New Jersey Department
16 of Labor and Workforce Development; and (2) "municipal road
17 mileage" means that road mileage under the jurisdiction of
18 municipalities, as determined by the department.

19 d. There shall be appropriated at least \$175,000,000 for each
20 fiscal year commencing July 1, 2006 through the fiscal year
21 commencing July 1, 2015, and \$400,000,000 for each fiscal year
22 commencing July 1, 2016 and for each fiscal year thereafter, for the
23 purposes provided herein and in subsections b., c., e., f., and g. of
24 this section. (1) Of that appropriation, the commissioner shall
25 allocate 37.5 percent of the total appropriation as State aid for
26 municipalities pursuant to the provisions of subsection c. of this
27 section, provided that \$5,000,000 for each fiscal year commencing
28 July 1, 2006 through the fiscal year commencing July 1, 2015, and
29 \$10,000,000 for each fiscal year commencing July 1, 2016 and for
30 each fiscal year thereafter of the amount allocated as State aid for
31 municipalities shall be set aside and sub-allocated as State aid to
32 any municipality qualifying for aid pursuant to the provisions of
33 P.L.1978, c.14 (C.52:27D-178 et seq.). The commissioner shall
34 allocate the aid to each municipality in the same proportion that the
35 municipality receives aid under P.L.1978, c.14 (C.52:27D-178 et
36 seq.). (2) The commissioner shall allocate 37.5 percent of the total
37 appropriation pursuant to the provisions of subsection e. of this
38 section for the Local County Aid Program. (3) The commissioner
39 shall allocate seven percent of the total appropriation pursuant to
40 the provisions of subsection b. of this section for the "Local Aid
41 Infrastructure Fund." (4) The commissioner shall allocate seven
42 percent of the appropriation pursuant to the provisions of subsection
43 f. of this section for the "Local Freight Impact Fund." (5) The
44 remaining 11 percent of the appropriation shall be allocated
45 pursuant to the provisions of subsection g. of this section for the
46 "Local Bridges Fund."

47 e. The commissioner may, pursuant to appropriations or
48 authorizations being made from time to time by the Legislature

1 according to law, allocate additional funding to the Local County
2 Aid Program for public highway projects, in accordance with a
3 formula similar to that provided for in subsection c. of this section,
4 except that Cm equals road mileage under county jurisdiction and
5 Sm equals total county road mileage within the State.

6 f. The commissioner shall, pursuant to appropriations or
7 authorizations being made from time to time by the Legislature
8 according to law, allocate at the commissioner's discretion, State aid
9 to counties and municipalities for transportation projects that
10 address the impacts of freight travel in local communities and on
11 local transportation infrastructure, except that the amount to be
12 appropriated for this program shall be seven percent of the total
13 amount appropriated pursuant to subsection d. of this section. This
14 State aid shall be set aside prior to any formula allocations provided
15 for in subsections c., d., e., and g. of this section, and shall be
16 known as the "Local Freight Impact Fund."

17 g. The commissioner shall, pursuant to appropriations or
18 authorizations being made from time to time by the Legislature
19 according to law, allocate at the commissioner's discretion, State aid
20 to counties and municipalities for transportation projects that
21 address the condition of bridges under the jurisdiction of counties
22 with an emphasis on repair and reconstruction of those with the
23 greatest structural deficiencies, except that the amount to be
24 appropriated for this program shall be 11 percent of the total
25 amount appropriated pursuant to subsection d. of this section. This
26 State aid shall be set aside prior to any formula allocations provided
27 for in subsections c., d., e., and f. of this section, and shall be
28 known as the "Local Bridges Fund."

29 h. For each fiscal year commencing July 1, 2021 through the
30 fiscal year commencing July 1, 2028, the commissioner shall
31 allocate \$3,000,000 from the annual appropriations of revenues and
32 other funds of the New Jersey Transportation Trust Fund Authority
33 to the department, for the establishment of the "Future Road
34 Technologies Fund."

35 In the first fiscal year following enactment and each fiscal year
36 thereafter, until all moneys from the fund have been allocated, the
37 commissioner shall allocate \$1,000,000 each to three counties, one
38 in the northern region of the State, one in the central region of the
39 State, and one in the southern region of the State for the
40 construction, reconstruction, repair, and rehabilitation of a road,
41 under the jurisdiction of the county, with the use of prefabricated
42 plastic materials or mixed-aggregate asphalt containing recycled
43 plastic materials. Each county in the State shall be in receipt of an
44 award from the department pursuant to this subsection no more than
45 once.

46 Except as otherwise provided in this subsection, road projects

1 and awards of funds shall be subject to the provisions of the Local
2 County Aid Program, pursuant to this section.

3 (cf: P.L.2016, c.56, s.9)

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5 2. a. (New section) The Commissioner of Transportation shall
6 provide technical assistance to each county provided an award from
7 the “Future Road Technologies Fund”, pursuant to subsection h. of
8 section 25 of P.L.1984, c.73 (C.27:1B-25), and shall coordinate
9 with facilities that produce prefabricated plastic road materials or
10 process recycled plastic materials to assist each county in acquiring
11 the proper prefabricated plastic road materials or developing a
12 mixed-aggregate asphalt containing recycled plastic materials
13 suitable for use on roads in this State.

14 b. The commission shall prepare and submit a report to the
15 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
16 19.1), to the Legislature containing an evaluation of the projects
17 conducted by counties awarded funds from the “Future Road
18 Technologies Fund” pursuant to subsection h. of section 25 of
19 P.L.1984, c.73 (C.27:1B-25). The report shall be submitted no later
20 than one year after the final award has been allocated from the
21 “Future Road Technologies Fund” and shall provide a
22 comprehensive review of the projects, including, but not limited to,
23 an evaluation of the effectiveness of the road projects constructed
24 with the use of prefabricated plastic materials or mixed-aggregate
25 asphalt containing recycled plastic materials for use on other types
26 of road projects, a discussion of extending the “Future Road
27 Technologies Fund” to include municipalities in the State, and any
28 other information the commissioner determines to be relevant to the
29 report.

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31 3. This act shall take effect on July 1, 2021.

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34 STATEMENT

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36 This bill establishes a “Future Road Technologies Fund” (fund)
37 to allocate \$3,000,000 annually to facilitate the construction,
38 reconstruction, repair and rehabilitation of roads using prefabricated
39 plastic materials or mixed-aggregate asphalt containing recycled
40 plastic materials by counties on county roads.

41 Under the bill, in the first fiscal year following enactment and
42 each year thereafter, until all moneys from the fund have been
43 allocated, the Commissioner of Transportation (commissioner) is to
44 allocate \$1,000,000 each to three counties, one in the northern
45 region, one in the central region, and one in the southern region of
46 the State for the construction, reconstruction, repair, and
47 rehabilitation of a road, under the jurisdiction of the county, with
48 the use of prefabricated plastic materials or mixed-aggregate asphalt

1 containing recycled plastic materials. Each county is to receive an
2 award from the Department of Transportation (department) no more
3 than once.

4 Road projects and awards of funds are to be made in accordance
5 with the provisions of the Local County Aid Program.

6 The bill requires the commissioner to provide technical
7 assistance to each county provided an award from the fund and to
8 coordinate with facilities that produce prefabricated plastic road
9 materials or process recycled plastic materials to assist each county
10 in acquiring the proper prefabricated plastic road materials or
11 developing a mixed-aggregate asphalt containing recycled plastic
12 materials suitable to be used on roads in this State.

13 Finally, the commissioner is to prepare and submit a report to the
14 Governor and the Legislature containing an evaluation of the
15 projects conducted by counties awarded funds from the fund, no
16 later than one year after the final award has been allocated from the
17 fund. The report is to provide a comprehensive review of the
18 projects, including, but not limited to, an evaluation of the
19 effectiveness of the road projects constructed with the use of
20 prefabricated plastic materials or mixed-aggregate asphalt
21 containing recycled plastic materials for use on other types of road
22 projects, a discussion of extending the fund to include
23 municipalities in the State, and any other information the
24 commissioner determines to be relevant to the report.